PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY, OCTOBER 8 19 85

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

THE COMMON COUNCIL OF THE CITY OF FORT WAYNE MET IN THE COUNCIL CHAMBERS Tuesday EVENING October 8 A.D., 19 85, IN Regular SESSION. PRESIDENT Mark E. GiaQuinta IN THE CHAIR, COUNCIL ATTORNEY Stanley A. Levine, AND Sandra E. Kennedy CLERK, AT THE DESK, PRESENT THE FOLLOWING MEMBERS _____ VIZ:

BRADBURY P, BURNS P, EISBART P,
GiaQUINTA P, HENRY P, REDD P,
SCHMIDT P, STIER P, TALARICO P,

ABSENT: _____

COUNCILMAN: _____, _____, _____,

THE INVOCATION WAS GIVEN BY _____

THE MINUTES OF THE LAST REGULAR September 24, 19 85,

_____, 19____,

SPECIAL _____, 19____,

SESSION HAVING BEEN DELIVERED TO THE COUNCIL, WERE, ON MOTION, APPROVED AND PUBLISHED.

October 1, 1985

To the Common Council
Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Today, October 1, 1985, I have approved the following ordinances and resolutions passed by the Common Council at its regular meeting of September 24, 1985.

(Bill No. S-85-09-01)
SPECIAL ORDINANCE NO. S-171-85

AN ORDINANCE approving of Civil City Purchase Orders #A-41196, #A-41197 and #A-41198 for the demolition of various structures

(Bill No. G-85-08-41)
GENERAL ORDINANCE NO. G-23-85

AN ORDINANCE amending the Thoroughfare Plan of the City Comprehensive ("Master") Plan by vacating an alley thereof

(Bill No. S-85-09-03)
SPECIAL ORDINANCE NO. S-172-85

AN ORDINANCE approving Contract for Res. #6032-85, by the City of Fort Wayne by and through its Board of Public Works and Safety and Dailey Asphalt Products Company, Inc., for resurfacing and restoring pavement on Central Drive, Herman Street, Plaza Drive, Lower Huntington Road, Fairfield Avenue and Baker Street

(Bill No. S-85-09-04)
SPECIAL ORDINANCE NO. S-173-85

AN ORDINANCE approving City Utilities Purchase Order #A-41464

(Bill No. S-85-09-05)
SPECIAL ORDINANCE NO. S-174-85

AN ORDINANCE approving Contract for Res. #75-36-10, Corline-Monteray Neighborhood Improvement Project, by the City of Fort Wayne by and through its Board of Public Works and Safety and John Dehner, Inc., for the construction of storm sewers, sanitary sewers, streets, street lights and sidewalks for the Corline-Monteray Project

(Bill No. S-85-09-06)
SPECIAL ORDINANCE NO. S-175-85

AN ORDINANCE approving Contract for 414-85, Spy Run Storm Sewer, by the City of Fort Wayne by and through its Board of Public Works and Safety and Land Excavating for the construction of storm sewers improvement

(Bill No. S-85-09-02)
RESOLUTION NO. R-107-85

A RESOLUTION FINDING, DETERMINING AND RATIFYING AN INDUCEMENT RESOLUTION OF THE FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION AUTHORIZING THE ISSUANCE AND SALE OF $6,200,000.00 ECONOMIC REVENUE BONDS OF THE CITY OF FORT WAYNE, INDIANA FOR THE PURPOSE OF INDUCING THE APPLICANT WAYNE COLISEUM LIMITED PARTNERSHIP TO PROCEED WITH THE ACQUISITION CONSTRUCTION AND EQUIPPING OF THE PROJECT

Respectfully yours,

Win Moses, Jr.
Mayor

The City of Fort Wayne

Land Use Management
Division of Community Development & Planning

24 September 1985

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-85-09-15

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
24th day of September 1985.

Melvin O. Smith
Secretary

FACT SHEET

Z-85-09-15
BILL NUMBER

Division of Community Development & Planning

BRIEF TITLE Zoning Ordinance Amendment

APPROVAL DEADLINE

REASON

DETAILS

Specific Location and/or Address

609 E. Cook Road

Reason for Project

Planned Office Development

Discussion (Including relationship to other Council actions)

16 September 1985 - Public Hearing

Gerry Rocke, consulting engineer representing Cook Road Realty stated that the property is approximately 2¼ acres in size. He stated it is surrounding on two sides by a POD, the developer has already constructed on the present POD one building housing the corporate offices of Northill Development Corporation. He stated that the proposal is to incorporate this property into the present POD. He stated that they want a more unified development plan for the area and hope to do so by obtaining a POD classification on this property. He stated this development would conform to the POD requirements, heavily landscaped along the road frontages with one access off of Cook Road with the parking area located behind the structures. He stated that they felt a POD designation would have a lesser impact on the perimeter of the area thatn the present R-3 (Multi-Family) zoning.

Mr. Embury questioned what their feelings were with regard to the limiting of the access from Cook Road to one access.

POSITIONS	RECOMMENDATIONS
Sponsor	City Plan Commission
Area Affected	**City Wide** **Other Areas**
Applicants/ Proponents	**Applicant(s)** Cook Road Realty **City Department** **Other**
Opponents	**Groups or Individuals** **Basis of Opposition**
Staff Recommendation	☒ For ☐ Against **Reason Against**
Board or Commission Recommendation	**By** ☐ For ☐ Against ☐ No Action Taken ☐ For with revisions to conditions (See Details column for conditions
CITY COUNCIL ACTIONS (For Council use only)	☐ Pass ☐ Other ☐ Pass (as amended) ☐ Hold ☐ Council Sub. ☐ Do not pass

DETAILS

Mr. Rocke stated that they are still working with engineering on that item. He stated he felt it was a misunderstanding initially, about whether they were going to incorporate the Northill parking lot with the proposed parking lot. He stated that they have stayed that they have stayed back from the intersection of Cook and Coldwater a good distance with the proposed cut.

Mr. Embury asked if the developers would be willing to discuss sanitary sewers for the area.

Mr. Rocke stated that they would.

There was no one present who wished to speak in favor of or in opposition to the proposed rezoning.

September 23, 1985 - Business Meeting

Motion to approve was made and carried.

Of the 7 members present 6 voted in favor of approval one (1) did not vote.

POLICY/PROGRAM IMPACT

Policy or Program Change	☐ No ☐ Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start **Date** August 15, 1985

Projected Completion or Occupancy **Date** September 24, 1985

Fact Sheet Prepared by **Date** September 24, 1985
Patricia Biancaniello

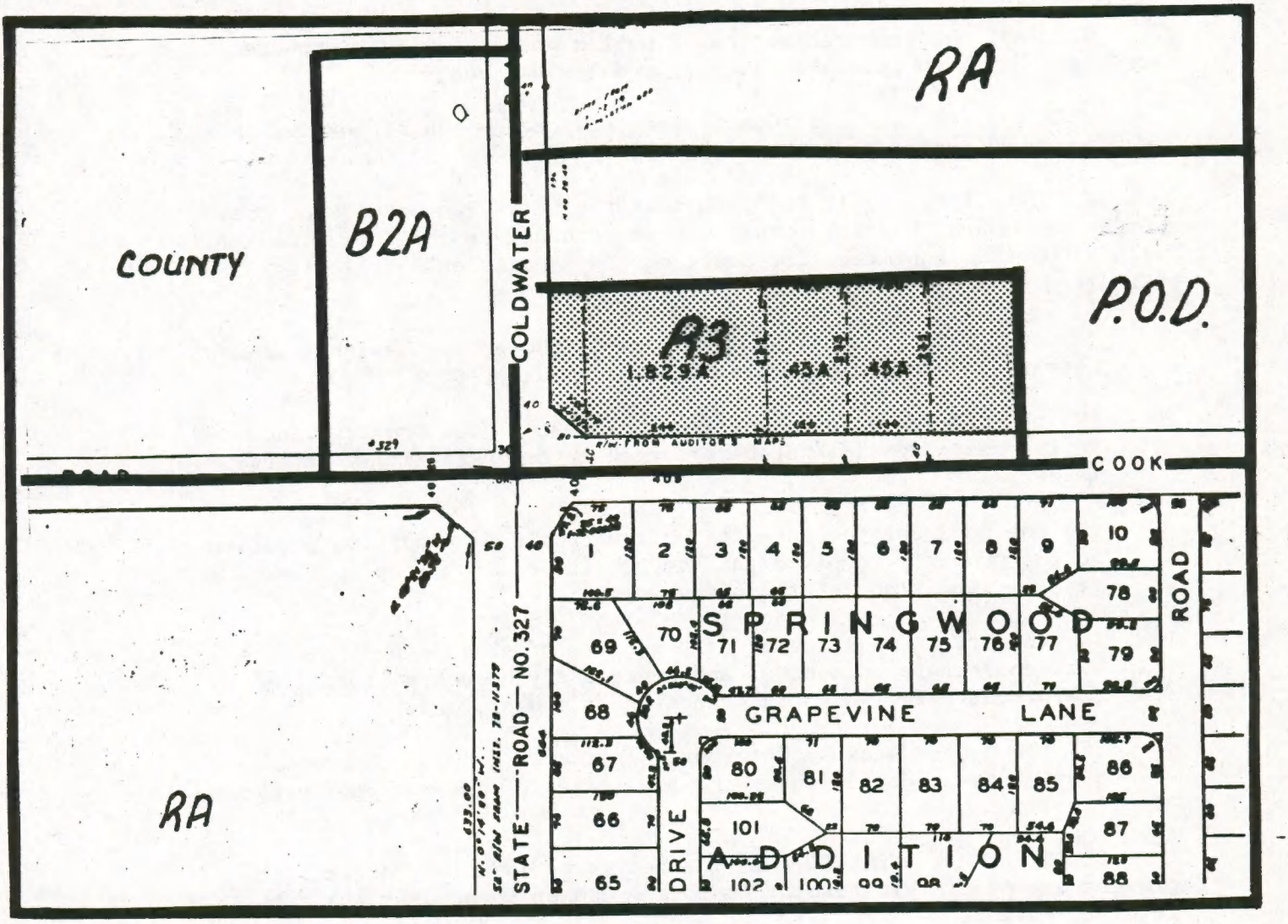
Reviewed by **Date** 9/25/85
Gary Baxter

Reference or Case Number

Change of Zone #151

Bill No. Z-85-09-15

GENERAL LOCATION MAP FOR 609 E. COOK RD.



Zoning:

Land Use:

B2A NEIGHBORHOOD SHOPPING CENTER

RA RESIDENCE 'A'

R3 RESIDENTIAL DISTRICT

NORTH

L.W.

Scale: 1"=200'

Date: 8-26-85

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on September 24, 1985 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-85-09-15; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on September 16, 1985;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

(1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;

(3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

(4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,

(5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resoluton adopted at the meeting of the Fort Wayne City Plan Commission held September 24, 1985.

Certified and signed this
24th day of September 1985.

Melvin O. Smith
Secretary

Change of Zone #151 5 September 1985

PROPOSAL:

Thomas Eckrich petitions for a change of zone from R-3 to a POD.

GENERAL INFORMATION:

Location:	NE corner of Cook & Coldwater Roads (600 Block East Cook Road)
Legal Description:	See File - Metes & Bounds
Existing Zoning:	R-3
Size of Property:	2.46 Acres ±
Surrounding Land Use & Zoning:	North - POD & RA - Office Park & Multi-Family South - RA - SFR West - B-2-A - Northrop Village East - POD - Office Park
Reason For Request:	Enlargement of existing POD.
Applicable Regulations:	R-3 districts would only permit office use with Board of Zoning Appeals approval.

SPECIAL INFORMATION:

Public Utilities:	Are in the general area.
Comprehensive Plan:	The General Land Use Policies of the Comprehensive Plan state that rezoning proposals should be compatible with existing and planned land uses and not establish an undesirable precedent in the area to be developed. The overall goal in the outer ring is to encourage growth in a balanced manner that is within or adjacent to existing development in the urban service area. The goal in the North Sector, where this request is located, is for orderly growth.
Neighborhood Planning:	N/A
Urban Design:	N/A
HANDS:	N/A

Housing Authority: N/A

SHED: N/A

PLANNING STAFF DISCUSSION:

The Zoning Ordinance allows for office development of a professional nature in a POD. Controls are placed upon the development which give it (the development) a less commercial appearance that blends into residential areas. The existing office complex to the east,and the proposed shopping center to the west seem to encourage the use of this parcel as a buffer from residential development north and south.

RECOMMENDATION: Approval

The City of Fort Wayne
Land Use Management
Division of Community Development & Planning

24 September 1985

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of a public alley.

The proposed ordinance is designated as:

BILL NO. G-85-09-17

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
24th day of September 1985.

Melvin O. Smith
Secretary

FACT SHEET

G-85-09-17
BILL NUMBER

Division of Community Development & Planning

BRIEF TITLE	APPROVAL DEADLINE	REASON
Alley Vacation Ordinance		

DETAILS

Specific Location and/or Address

Portion of North/South alley lying between Third & Sinclair Streets.

Reason for Project

To prevent traffic from using as a shortcut.

Discussion (Including relationship to other Council actions)

September 16, 1985 - Public Hearing

Jack Lawson, attorney representing the petitioners stated that they were requesting the petition because there is a significant amount of "short cut" traffic using this particular section of alley. Mr. Lawson stated that it does constitute a traffic hazard, as well as a pedestrian hazard. He stated that the alley is not significant or useful for any purpose other than easement uses for utilities. He stated that they have no problem with affording easements to the utilities requesting them. He stated that if vacation, it will be fenced off in order to prohibit traffic flow. He stated that he had spoken with the president of the Neighborhood Association and she indicated that the traffic using this alley has been a significant problem.

Mel Smith questioned how the garbage would be picked up in this alley.

Mr. Lawson stated that there is access from the alley to the north, which will be utilitized for that purpose.

POSITIONS	RECOMMENDATIONS
Sponsor	City Plan Commission
Area Affected	**City Wide** **Other Areas**
Applicants/ Proponents	**Applicant(s)** Daniel E. Hoagland Jerry McDermott **City Department** **Other**
Opponents	**Groups or Individuals** Anthony H. Berghoff **Basis of Opposition** -felt it did not serve the public interest
Staff Recommendation	[X] For [ ] Against **Reason Against**
Board or Commission Recommendation	**By** [X] For [ ] Against [ ] No Action Taken [ ] For with revisions to conditions (See Details column for conditions
CITY COUNCIL ACTIONS (For Council use only)	[ ] Pass [ ] Other [ ] Pass (as amended) [ ] Hold [ ] Council Sub. [ ] Do not pass

DETAILS

Mel Smith read a letter of remonstrance from Mr. Anthony Berghoff into the record.

There was no one present who wished to speak in favor of or in opposition to the proposed vacation.

September 23, 1985 - Business Meeting

Motion was made to approve the vacation request. Of the 7 members present 6 voted in favor of the vacation one (1) did not vote. Motion carried to approve.

POLICY/PROGRAM IMPACT

Policy or Program Change	☐ No ☐ Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start **Date** June 28, 1985

Projected Completion or Occupancy **Date** September 24, 1985

Fact Sheet Prepared by **Date** September 24, 1985

Patricia Biancaniello

Reviewed by **Date** 9/25/85

Gary Bretton

Reference or Case Number

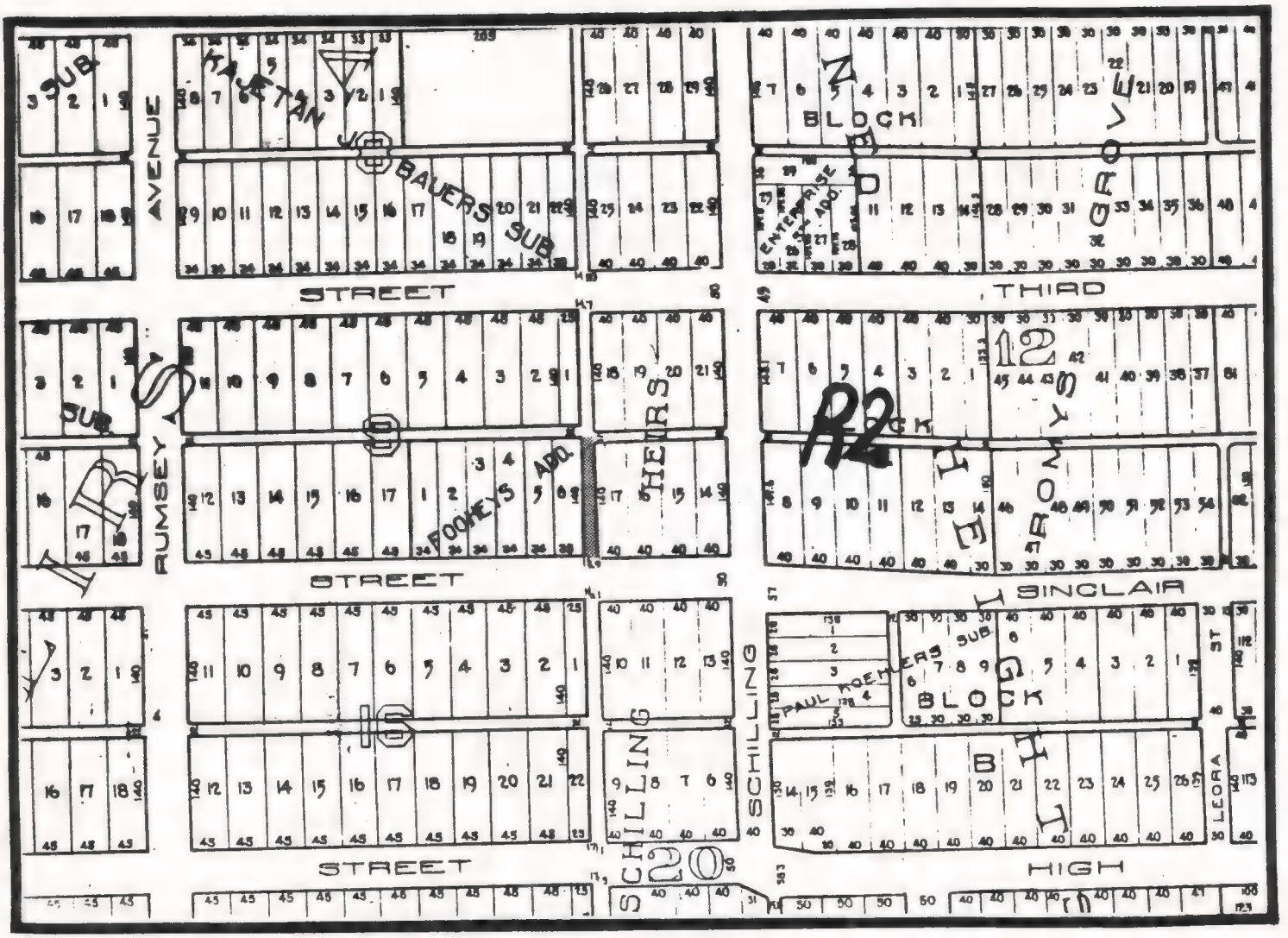
VACATION PETITION #139

A PETITION TO VACATE THE DESCRIBED PORTION OF ALLEY

MAP NO. K-10

BILL NO. G-85-09-17

GENERAL LOCATION MAP



Zoning:

R-2 RESIDENTIAL DISTRICT

Land Use:

NORTH

Scale: 1"=200'

Date: 7-29-85

L.W.

R E S O L U T I O N

75-106-9

WHEREAS, DANIEL E. HOAGLAND and JERRY MCDERMOTT have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public alley situated in Fort Wayne, Allen County, to-wit:

> Beginning at the southeast corner of Lot 17 in Schilling's Heirs Addition; thence north along the West line of said Lot 17, 140 feet to the northwest corner of said Lot 17; thence west to the northeast corner of Lot 6 in Foohey's Addition; thence south along the east line of said Lot 6 to the southeast corner of said Lot 6; thence east along the north line of Sinclair Street to the point of beginning.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-512; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of alley has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said alley hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said alley hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said alley or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, David J. Kiester, Chairman of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Works at their meeting held September 25, 1985 and an same appears of record in the official records of said Board of Public Works.

DATED THIS 25th DAY OF September 1985

FORT WAYNE BOARD OF PUBLIC WORKS

David J. Kiester
Director of Public Works

Cosette B. Simon
Director of Administration & Finance

Lawrence D. Consalvos
Director of Public Safety

R E S O L U T I O N

WHEREAS, DANIEL E. HOAGLAND and JERRY MCDERMOTT have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following alley in Fort Wayne, Allen County, to-wit:

> Beginning at the southeast corner of Lot 17 in Schilling's Heirs Addition; thence north along the West line of said Lot 17, 140 feet to the northwest corner of said Lot 17; thence west to the northeast corner of Lot 6 in Foohey's Addition; thence South along the east line of said Lot 6 to the southeast corner of said Lot 6; thence east along the north line of Sinclair Street to the point of beginning,

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 36-7-4-512.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on September 16, 1985 at 7:00 P.M., and at such hearing there were no objections of any kind or character which should prevent the vacation of said alley.

WHEREAS, said vacation of alley has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said alley hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said alley hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said alley or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said alley in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Melvin O. Smith, Secretary of the Fort Wayne City Plan Commission, do hereby certify that the attached is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held September 23, 1985 and as the same appears of record in the offical records of said Plan Commission.

DATED THIS 24 DAY OF Sept 19 85

FORT WAYNE CITY PLAN COMMISSION

Melvin O. Smith

Melvin O. Smith
Secretary

Vacation Petition #139 5 September 1985

PROPOSAL:

Daniel E. Hoagland petitions for the vacation of portions of a north-south alley.

GENERAL INFORMATION:

Location:	1600 block of Sinclair Street
Legal Description:	In file.
Existing Zoning;	N/A
Size of Property:	228 sq. ft.±
Surrounding Land Use & Zoning:	R-2 - Residential
Reason For Request:	Traffic using alley as a shortcut.
Applicable Regulations:	Vacations must be approved by the City Council after Plan Commission recommendation.

SPECIAL INFORMATION:

Public Utilities:	Petitioner agrees to reservation of an easement for utility purposes.
Physical Characteristics:	Petitioner states that the alley is not necessary for ingress or egress to other real estate.

PLANNING STAFF DISCUSSION:

We see no objection to the requested vacation, providing the easement, as needed, be provided for utility companies. The adjacent property owner has also signed this petition, and the alley does not appear to be necessary to the growth of, or continuation of City services.

RECOMMENDATION: Approval

Petitioner to provide any/all necessary easement for affected utilities.

The City of Fort Wayne
Land Use Management
Division of Community Development & Planning

24 September 1985

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-85-09-14

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
24th day of September 1985.

Melvin O. Smith
Secretary

FACT SHEET

Z-85-09-14

BILL NUMBER

Division of Community Development & Planning

BRIEF TITLE

Zoning Ordinance Amendment

APPROVAL DEADLINE

REASON

DETAILS

Specific Location and/or Address

1811 E. Washington Blvd.

Reason for Project

Expand plumbing business on adjacent lot and build a doctor's office on rear of property in question.

Discussion (Including relationship to other Council actions)

September 16, 1985 - Public Hearing

Lloyd Hinsch, petitioner stated that he wanted the rezoning because it would coincide withthe lots that he owns on the corner which are B-3-B and on that corner is a doctor's office and a plumbing office. He stated that they would like to extend their plubming office onto the lot in question and also build a doctor's office on the rear of the property. He stated that there is only one residence in the whole block and that is across the street from Falstaff. He stated he had spoken with the property owner of the residence and they had no objections to his plans. He stated that he also owns all of the adjoing lots to the corner.

There was no one present who wished to speak in favor of or in opposition to the proposed rezoning.

POSITIONS	RECOMMENDATIONS
Sponsor	City Plan Commission
Area Affected	**City Wide** **Other Areas**
Applicants/ Proponents	**Applicant(s)** Lloyd Hinsch **City Department** **Other**
Opponents	**Groups or Individuals** **Basis of Opposition**
Staff Recommendation	☐ For ☒ Against **Reason Against** -adverse impact on area -approval would lead to deterioration of residences
Board or Commission Recommendation	**By** ☐ For ☒ Against ☐ No Action Taken ☐ For with revisions to conditions (See Details column for conditions
CITY COUNCIL ACTIONS (For Council use only)	☐ Pass ☐ Other ☐ Pass (as amended) ☐ Hold ☐ Council Sub. ☐ Do not pass

DETAILS

September 23, 1985 - Business Meeting

Motion to deny was made and carried.

Of the 7 members present 6 voted in favor of denial one (1) did not vote.

POLICY/PROGRAM IMPACT

Policy or Program Change	☐ No ☐ Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start **Date** August 16, 1985

Projected Completion or Occupancy **Date** September 24, 1985

Fact Sheet Prepared by **Date** September 24, 1985

Patricia Biancaniello

Reviewed by **Date**

Gary Lacko 9/25/85

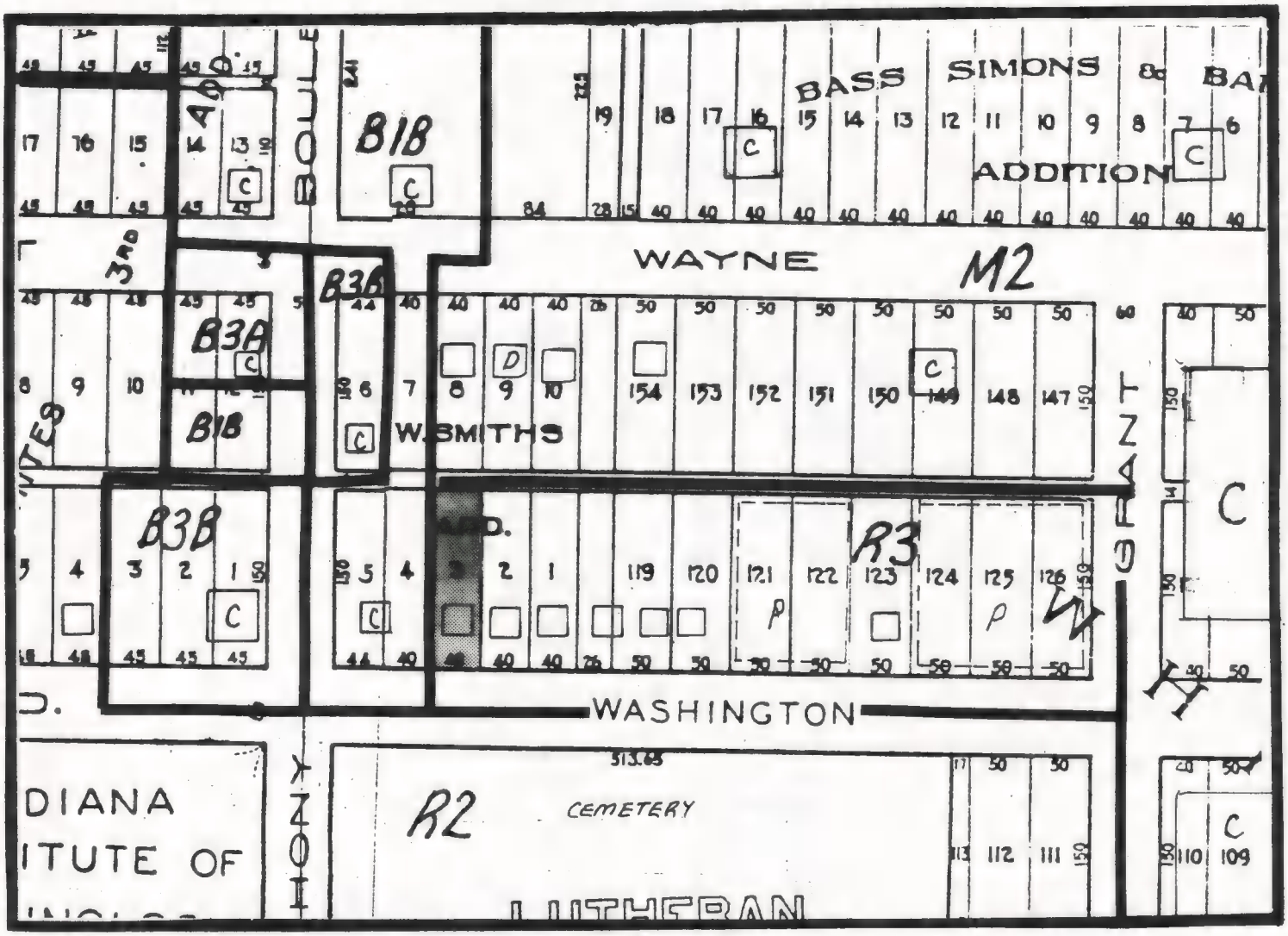
Reference or Case Number

ZONING PETITION #152

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM AN R3 DISTRICT TO AN B3 DISTRICT.

MAP NO. N-6 BILL NO. Z-85-09-14

COUNCILMANIC DISTRICT NO. 1



Zoning:

- R2 RESIDENTIAL DISTRICT
- R3 RESIDENTIAL DISTRICT
- B1B LIMITED BUSINESS 'B'
- B3A GENERAL BUSINESS 'A'
- B3B GENERAL BUSINESS 'B'
- M2 GENERAL INDUSTRY

Land Use:

- □ SINGLE FAMILY
- [D] DUPLEX
- [C] COMMERCIAL
- P PARKING

NORTH

L.W.

Scale: 1"=165'

Date: 8-27-85

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on September 24, 1985, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-85-09-14; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on September 16, 1985;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO NOT PASS recommendation based on the Commission's following "Findings of Fact".

(1) the grant will be injurious to the public health, safety, morals and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will be affected in a substantially adverse manner;

(3) the need for the rezoning does not arise from conditions peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

(4) the strict application of the terms of the zoning ordinance will not constitute an unusual and unnecessary hardship to this property;

(5) the grant interferes substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held September 23, 1985.

Certified and signed this
24th day of September 1985.

Melvin O. Smith
Secretary

Change of Zone #152 5 September 1985

PROPOSAL:

Lloyd & Brenda Hinsch request a change of zone from R-3 to B-3-B.

GENERAL INFORMATION:

Location:	1811 E. Washington Blvd.
Legal Description:	Lot #3, J. W. Smith's Add.
Existing Zoning:	R-3
Size of Property:	40' x 150'
Surrounding Land Use & Zoning:	North - M-2 - Residential South - R-2 - Cemetery East - R-3 - Residential West - B-1-B
Reason For Request:	Plumbing shop or doctor's office.
Applicable Regulations:	Office uses would be permitted in an R-3 with Board of Zoning Appeals approval.

SPECIAL INFORMATION:

Public Utilities:	Are available.
Physical Characteristics:	Washington Blvd., is a major west bound street thru the City.
Comprehensive Plan:	The General Land Use Policies of the Comprehensive Plan state that rezoning proposals should be compatible with existing and planned land uses and not establish an undesirable precedent in the area to be developed. There are three main goals for the Central Area, where this request is located; 1) to maintain existing development; 2) to halt deterioration; and, 3) to encourage reinvestment.
Neighborhood Planning:	The neighborhood plan does not address this area.
Urban Design:	No Comment
Urban Design:	No Comment

HANDS: No Comment

Housing Authority: No Comment

SHED: No Comment

PLANNING STAFF DISCUSSION:

Anthony Boulevard currently serves as a breakpoint in the existing land uses, with commercial uses fronting on Anthony. While this area is shown on the Comprehensive Plan as industrial, there are many residential properties. A doctor's office could be approved by the Board of Zoning Appeals. A B-3-B designation would allow a number of commercial uses which would adversely impact the traffic congestion and safety of this area, and encourage similar development along this corridor.

RECOMMENDATION: Denial

1) Approval would adversely impact the area.
2) Approval would lead to deterioration of the existing residences.
3) Approval would make it difficult to deny similar changes in the future.

The City of Fort Wayne

Land Use Management
Division of Community Development & Planning

24 September 1985

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-85-08-38

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
24th day of September 1985.

Melvin O. Smith
Secretary

FACT SHEET

Z-85-08-38
BILL NUMBER

Division of Community Development & Planning

BRIEF TITLE	APPROVAL DEADLINE	REASON
Zoning Ordinance Amendment		

DETAILS

Specific Location and/or Address

An area bounded by Superior, Jackson, Greeley and Van Buren Streets.

Reason for Project

Expansion of Fox & Fox Garage.

Discussion (Including relationship to other Council actions)

19 August 1985 - Public Hearing

Phil Terrill, attorney representing the petitioners stated that his client Fox & Fox Garage was requesting the rezoning in order to expand their present operation. Mr. Terrill stated they did not have any problems as set forth in the staff analysis with the exception of #2. He stated this condition was in regard tothe 25 foot buffer along Jackson & Superior Street. He stated they have just purchased the lot in question and it is only 24 feet wide, he stated the kind of investment for a buffer zone does not appear to be equitable or fair, when it really does not preserve the integrity of that particular neighborhood. He stated that a buffer along Jackson would appear to be impractical as eventually all of the residences will be purchased by Fox & Fox and torn down. He stated the same situation applys to those lots on Superior Street.

POSITIONS	RECOMMENDATIONS
Sponsor	City Plan Commission
Area Affected	**City Wide** **Other Areas**
Applicants/ Proponents	**Applicant(s)** Delores & Gerald F Richard & Sue Roe & Germain Miller **City Department** **Other**
Opponents	**Groups or Individuals** **Basis of Opposition**
Staff Recommendation	☒ For ☐ Against **Reason Against**
Board or Commission Recommendation	**By** ☒ For ☐ Against ☐ No Action Taken ☐ For with revisions to conditions (See Details column for condition
CITY COUNCIL ACTIONS (For Council use only)	☐ Pass ☐ Other ☐ Pass (as amended) ☐ Hold ☐ Council Sub. ☐ Do not pass

DETAILS

Ben Eisbart stated that he felt the petitioner/representative should meet with a member of the staff and work our any problems with regard to condition #2 prior to the business meeting.

August 26, 1985 - Business Meeting

Motion to approve was made and carried.

Of the 8 members present 7 voted in favor of approval one (1) did not vote.

Condition #2 in the staff analysis was changed to the following:
A restrictive covenant be recorded that requires a ten (10) foot buffer screening along the west of Lot #14 and the north of Lot 14 & 15 that must be landscaped, in H.B. Reed's Addition. A restrictive covenant to that affect has been received and a copy is attached to the original ordinance.

POLICY/PROGRAM IMPACT

Policy or Program Change	☐ No ☐ Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start **Date** June 25, 1985

Projected Completion or Occupancy **Date** September 24, 1985

Fact Sheet Prepared by **Date** September 24, 1985
Patricia Biancaniello

Reviewed by **Date** 9/25/85
Stacy Carter

Reference or Case Number

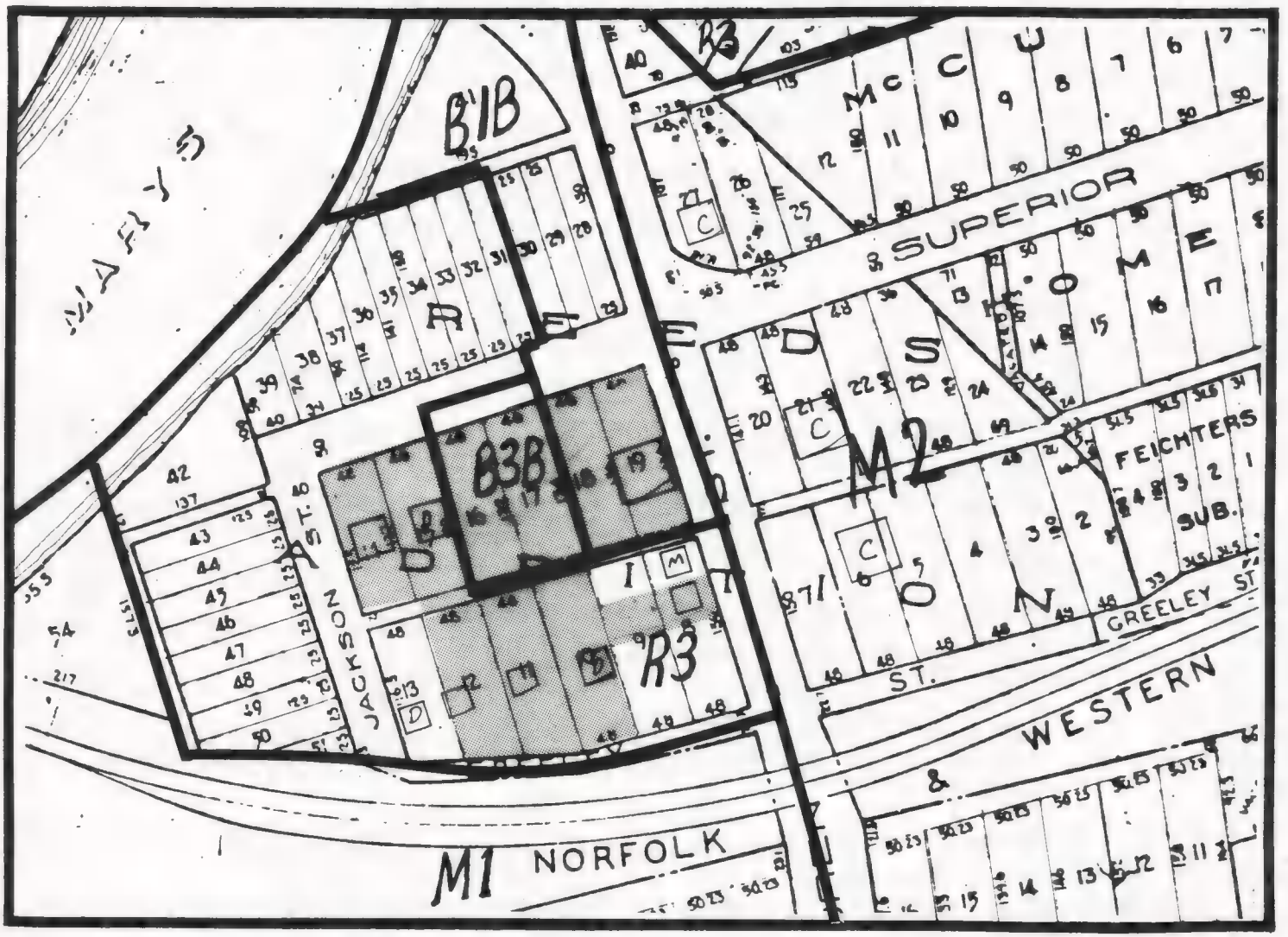
REZONING PETITION #140

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING DESCRIBED PROPERTY FROM A B1B & R3 DISTRICTS TO A B3B DISTRICT.

BILL NO. Z-85-08-38

MAP NO. L-6

COUNCILMANIC DISTRICT NO. 1



Zoning:

- B1B LIMITED BUSINESS 'B'
- B3B GENERAL BUSINESS 'B'
- M1 LIGHT INDUSTRY
- M2 GENERAL INDUSTRY
- R3 RESIDENTIAL DISTRICT

Land Use:

- ☐ SINGLE FAMILY
- [D] DUPLEX
- [C] COMMERCIAL
- [M] MULTI-FAMILY

NORTH

Scale: 1" = 135'

Date: 7-30-85

L.W.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 27, 1985 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-85-08-38; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on August 19, 1985;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

(1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;

(3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

(4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,

(5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resoluton adopted at the meeting of the Fort Wayne City Plan Commission held August 26, 1985.

Certified and signed this
24th day of September 1985.

Melvin O. Smith
Secretary

Change of Zone #140 7 August 1985

PROPOSAL:

A change of zone from B-1-B & R-3 to B-3-B.

GENERAL INFORMATION:

Location:	An area generally bounded by Superior, Jackson, Greeley, and Van Buren Streets.
Legal Description:	See File
Existing Zoning:	B-1-B & R-3
Size of Property:	Approximately 1.5 acres
Surrounding Land Use & Zoning:	North - R-3 & B-1-B - Residential South - R3 & M-1 - Residential & Commercial East - M-2 - Commercial West - R-3 - Residential
Reason For Request:	Enlargement of existing business.
Applicable Regulations:	B-1-B is a limited business designation.

SPECIAL INFORMATION:

Public Utilities:	NA
Physical Characteristics:	NA
Comprehensive Plan:	The General Land Use Policies of the Comprehensive Plan states that rezonings and development proposals should be compatible with existing land uses and should not establish and undesirable precedent in the area. There are three main goals for the central area, where this request is located, 1) to maintain existing development; 2) to halt deterioration, and 3) to encourage reinvestment.

Neighborhood Planning: West Central Neighborhood Plan calls for this area to remain in commercial-industrial use.

Urban Design: No Comment

HANDS: No Comment

Housing Authority: No Comment

SHED: No Comment

PLANNING STAFF DISCUSSION:

Limited expansion of the existing business would not seem to adversely impact the surrounding area, as the business use is currently present. There are a number of existing single family homes to the north and west of the subject property.

The general area lies within the 100 year flood and was drastically flooded during the 1982 flood. There are no dykes at this location along the St. Mary's River.

The Conservancy District study has designated this area for acquistion for flood control purposes.

If the expansion if for locating parking lots within the residential district, it could be accomplished through a variance by the Board of Zoning Appeals. However, if the area is to be used for business expansion of not more than 40% of the pre-improvement market balue of the building, the lowest floor elevation would need to be two (2) feet above the 100 year flood elevation. Moreover, after the acquisition of the surrounding area has taken place, this would be the only use left and would be an island. Planning staff feels that the remaining portions of Lots 8 and 9 and Lot 13 should also be zoned B-3-B.

RECOMMENDATION: Perfect to B-3-B excluding a 25 foot buffer fronting on Superior and Jackson Street lots and then Conditional approval of the Perfected rezoning.

CONDITIONS:

1) No additional curb cuts to be permitted or requested along Jackson or Superior Streets.

2) The 25 foot buffer along Jackson and Superior Streets to be landscaped.

3) Landscape plans to be submitted to CD&P for review and approval.

4) Landscape plan to be implemented within two (2) planting seasons.

5) A new legal description must be submitted.

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers: 155/85/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully Submitted,

Lawrence D. Consalvos

Lawrence D. Consalvos, Chairman
Board of Public Safety

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 155/85/E)

I hereby certify that I did this 25th day of September, 1985 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 155/85/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

J D Conrad

CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 155/85/E

(Adopted September 25, 1985)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 119/85/E: IMPAIRED MOBILITY PARKING (RESIDENTIAL) (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated September 24, 1985, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective September 25, 1985, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

IMPAIRED MOBILITY PARKING (RESIDENTIAL) (EMERGENCY)

934 Grace Avenue -- north side -- from 170 feet west of Miner Street to 20 feet west thereof

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers:

156/85/E
157/85/E
158/85/D
159/85/E
160/85/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully Submitted,

L. D. Consalvos

Lawrence D. Consalvos, Chairman
Board of Public Safety

RETURN CERTIFICATE

(Regulatory Resolution No. 156/85/E
157/85/E
158/85/D
159/85/E
160/85/E)

I hereby certify that I did this 30th day of September, 19 85 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 156/85/E
157/85/E
158/85/D
159/85/E & 160/85/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 156/85/E

(Adopted September 30, 1985)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to STOP INTERSECTION (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated September 26, 19 85, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective September 30, 19 85, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Delaware Avenue -- stop -- for Alabama Avenue

REGULATORY RESOLUTION NO. 157/85/E

(Adopted September 30, 19 85)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to THRU STREET (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated September 26, 19 85, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective September 30, 19 85, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

THRU STREET (EMERGENCY)

Speedway Drive -- from Coliseum Boulevard to Ley Road except at Coliseum Boulevard and Ley Road

REGULATORY RESOLUTION NO. 158/85/D

(Adopted September 30, 1985

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-87 of said chapter delegates to this Board authority to DELETE: NO PARKING (DELEGATED)

_____

_____

_____

_____

_____; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated September 27, 1985, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-87 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974, it is hereby ordered, effective September 30, 1985, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

DELETE: NO PARKING (DELEGATED)

Berry Street -- south side -- from Barr Street to 130' east thereof

REGULATORY RESOLUTION NO. 159/85/E

(Adopted September 30, 1985)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to TWO HOUR PARKING 8:00 a.m. to 6:00 p.m. (EMERGENCY); ONE HOUR PARKING 8:00 a.m. to 6:00 p.m. (EMERGENCY); and NO PARKING (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated September 27, 1985, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective September 30, 1985, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

TWO HOUR PARKING 8:00 a.m. to 6:00 p.m. (EMERGENCY)

Berry Street -- south side -- from Barr Street to 130' east thereof

ONE HOUR PARKING 8:00 a.m. to 6:00 p.m. (EMERGENCY)

Berry Street -- south side -- from Barr Street to 220' east of Clinton Street

NO PARKING (EMERGENCY)

Berry Street -- south side -- from Barr Street to 220' east of Clinton Street

REGULATORY RESOLUTION NO. 160/85/E

(Adopted September 30, 19 85)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 123/85/E: IMPAIRED MOBILITY PARKING (RESIDENTIAL) (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated September 27, 19 85, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective September 30, 19 85, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

IMPAIRED MOBILITY PARKING (RESIDENTIAL) (EMERGENCY)

2010 Fox Avenue -- west side -- from 80' south of Taylor Street to 20' south thereof

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers: 161/85/E
162/85/E
163/85/E
164/85/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully Submitted,

Lawrence D. Consalvos

Lawrence D. Consalvos, Chairman
Board of Public Safety

RETURN CERTIFICATE

(Regulatory Resolution No. 161/85/E, 162/85/E, 163/85/E, 164/85/E)

I hereby certify that I did this 1st day of October, 1985 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 161/85/E, 162/85/E, 163/85/E & 164/85/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

J. D. Connolly

CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 161/85/E

(Adopted October 1, 1985)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to STOP INTERSECTION (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated September 30, 1985, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective October 1, 1985, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Humphrey Street -- stop -- for Grant Street

REGULATORY RESOLUTION NO. 162/85/E

(Adopted October 1, 1985)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 124/85/E: STOP INTERSECTION (EMERGENCY): AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated October 1, 1985, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective October 1, 1985, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Coombs Street -- stop -- for Berry Street

REGULATORY RESOLUTION NO. 163/85/E

(Adopted October 1, 1985)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 125/85/E: DELETE: TRAFFIC SIGNAL (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated October 1, 1985, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective October 1, 1985, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

DELETE: TRAFFIC SIGNAL (EMERGENCY)

Berry Street and Coombs Street

REGULATORY RESOLUTION NO. 164/85/E

(Adopted October 1, 1985)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 126/85/E: DELETE: TRAFFIC SIGNAL (EMERGENCY): AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated October 1, 1985, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective October 1, 1985, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

DELETE: TRAFFIC SIGNAL (EMERGENCY)

1600 Fairfield Avenue and General Electric Company parking lot access

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 8th day of October, 19 85, that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances, and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this _____ day of _____, 19____,

_____

SANDRA E. KENNEDY, CITY CLERK